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EXAMINER

LAM, WAI YIP

ART UNIT PAPER NUMBER

2614

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,352

Applicant(s)

SUGANO ET AL.

Examiner

Wai Lam

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10272005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 10, 11, 14 – 18, 19, 20, 23 – 27 are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 6,236,395 (Sezan et al.).

As to claim 10, Sezan et al. teaches a method of describing summary data (program description scheme 18 in Figure 1) of at least one of audio data, video data, audiovisual data (hereinafter audio/video) (Column 4, lines 40 – 45, lines, 58 – 59).

Sezan et al. also teaches identifying multiple items of compressed or uncompressed original audio/video contents (multiple programs). Key Frame view of Figure 9 contains a left hand column that contains representative frames that are representative of different programs (hereinafter representative program frames) (Column 14, lines 21 – 29). Therefore, multiple items of compressed or uncompressed audio/video contents (multiples programs) are identified. This reads on the present claim limitation.

Sezan et al. also teaches identifying slide components (lower portion of Figure 9 for each different program) of an audio/video slide composed of multiple important portions of the multiple items of original audio/video contents. Sezan

et al. teaches that within each selected program (item), the lower portion of Figure 9 contains frames representing different key portions of the particular selected program (Column 14, lines 28 – 34, hereinafter Key Frames). Therefore, a user can select other programs from the left hand column and the lower portion of Figure 9 would display Key frames (slide components) corresponding to the selected program. This reads on the present claim limitation because slide components (Key frames) composed of multiple important portions of a multiple items (multiple programs) of original audio/video contents are identified.

Sezan et al. also teaches providing a description of the slide components (Key Frames) such that the components are described sequentially. The Key Frames in Figure 9 are displayed one after another. Therefore, Key Frame View in Figure 9 is a description of the slide components wherein the slide components are described sequentially. With respect to the other items (programs) of the multiple items (programs) that the user can select, the slide components (Key frames) of the selected programs are also described sequentially with respect to each of the multiple items.

Sezan et al. also teaches wherein the description of the slide components includes a description about a link between the multiple items of original audio/video contents and the slide components (Column 16, lines 5 – 22). <KeyFramesView> specifies key frame start and end ids in a selected program described as the lower portion of Figure 9. Therefore, there is a direct link

between each original compressed or uncompressed audio/video content and the slide components associated with that selected program. Also, each representative program frame (left hand column of Figure 9 that represents multiple items of compressed or uncompressed audio/video) representing a particular program has a program, program id, program name, and a source location (Column 15, lines 20 – 34). Therefore, slide components corresponding to the multiple items of compressed or uncompressed audio/video contents also have direct links between them. This reads on the present claim limitation.

As to claim 11, Sezan et al. teaches a method of describing summary data (program description scheme 18 in Figure 1) wherein the slide components (Key Frames) of the audio/video are multiple segments included in the multiple compressed or uncompressed audio/video contents as discussed in the rejection of claim 10. Sezan et al. teaches that in Figure 9, the lower portion (Key Frames, slide components) includes multiple segments of a particular selected program (Column 14, lines 20 – 29). Therefore, slide components are multiple segments of multiple compressed or uncompressed audio/video contents (multiple programs).

Sezan et al. also teaches information (Video clips) about the segments are described sequentially. Each video clip associated with each key frame are defined by the descriptor <clip> (Column 16, 18 – 20). The clips are defined sequentially in the program description scheme description on Column 16 in the

KeyFrame view section. Also the Key frames are described sequentially with respect to the different programs.

As to claim 14, see rejection of claim 10 and note that Sezan et al. also teaches wherein if there are multiple compressed or uncompressed audio/video contents (Programs 38 in Figure 2), the description about the link between the compressed or uncompressed audio/video contents (Programs 38 in Figure 2) and the slide components (Key Frames, Lower portion of Figure 9) is the description about the identifier (Frame start and end ids in Column 16, lines 1 – 5) of the compressed or uncompressed audio/video content (Programs 38 in Figure 2) to which the slide components belong. When a user selects a different program (different item) as discussed in claim 10, the selected program would have its corresponding slide components (Key Frames) that contains a link between the compressed or uncompressed audio/video content and the slide components wherein the link is the description about the identifier (Frame start and end ids in Column 16, lines 1 – 5) of the selected compressed or uncompressed audio/video content (Program). Therefore, the present claim limitation is met.

As to claim 15, see rejection of claim 10 and note that Sezan et al. also teaches wherein if there is a single compressed or uncompressed audio/video content (Program 38 in Figure 2), the description (KeyFrame view description in Figure 9) about the link between the compressed or uncompressed audio/video content (Program 38 in Figure 2) and the slide components (KeyFrames, lower

portion of Figure 9) is the description about a temporal segment (Each key frame in the lower portion of Figure 9) in the compressed or uncompressed audio/video content (Program 38 in Figure 2) of the slide components (KeyFrames, lower portion of Figure 9) (Column 14, lines 32 – 34, Column 16, lines 1 – 20). Each Key Frame contains a frame start and frame end id (Column 16, lines 1 – 5) for a particular program. Therefore, the link describes a temporal segment between the slide components and the single compressed or uncompressed content (particular selected program as discussed in claim 10).

As to claim 16, see rejection of claim 10 and note that Sezan et al. also teaches wherein it is possible to transfer from playback of the audio/video slide to playback of the single or multiple compressed or uncompressed audio/video content relating to the slide components of the audio/video slide, and it is possible to transfer reversely from playback of single or multiple compressed or uncompressed audio/video content to playback of the slide (Column 12, lines 10 – 16).

As to claim 17, see rejection of claim 10 and note that Sezan et al. also teaches wherein it is possible to display the attribute data described about the corresponding compressed or uncompressed audio/video content (Programs 38 in Figure 2) by using the description of the audio/video slide components (Key Frames) during playback of the audio/video slides. Each Key Frame (lower portion of Figure 9) contains clip information (start and end frame id descriptions)

that are video segments (attributes) of the single compressed or uncompressed content (Column 14, 32 – 34, Column 16, lines 19 – 22). Therefore, the attribute data (video segments) corresponding to compressed or uncompressed audio/video are displayed. This reads on the present claim limitation.

As to claim 18, see rejection of claim 10 and note that Sezan et al. also teaches the audio/video slide component (Key Frames, lower portion of Figure 9) contains description <Clip> that specifies the start and end frame id's of a segment of the original program (Column 16, lines 16 – 21). A user can select to play back the desired segment by searching data indicating the frames that are presented in the program description scheme (Column 9, line 67, Column 10, line 1). Therefore, corresponding single compressed or uncompressed audio/video content is played by using the description data (<Clip> data) of the audio/video slide components (Key Frames) during playback of the audio/video slide (Key Frame View, Figure 9).

As to claim 19, see rejection of claim 10 for all corresponding limitations. Sezan et al. also teaches the description of the slide components (lower portion of Figure 9) including a link description of the temporal relationship (frame start and end id) between the original audio/video contents and the slide components. The user can selected different programs as discussed in claim 10. Therefore, there are multiple compressed or uncompressed audio/video contents available to the user. Within each selected program, a description of slide components (lower portion of Figure 9) includes a link description of the temporal relationship

between the original audio/video content and its associated slide components.

Therefore, the description of the slide components (Key Frames, lower portion of Figure 9) includes a link that is a description of the temporal relationship between each original compressed or uncompressed audio/video contents and its associated slide components.

Sezan et al. also teaches displaying the description of the slide components (lower portion of Key Frame View) as shown in Figure 9.

As to claim 20, see rejections of claims 11 and 19 for the corresponding limitations.

As to claim 23, see rejections of claims 14 and 19 for the corresponding limitations.

As to claim 24, see rejections of claims 15 and 19 for the corresponding limitations.

As to claim 25, see rejections of claims 16 and 19 for the corresponding limitations.

As to claim 26, see rejections of claims 17 and 19 for the corresponding limitations.

As to claim 27, see rejections of claims 18 and 19 for the corresponding limitations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 12, 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,236,395 (Sezan et al.) in view of U.S. Patent No. 5,930,493 (Ottesen et al.).

As to claim 12, see rejection of claim 10 and note that Sezan et al. also teaches wherein the slide components (Key Frames) of the audio/video are multiple segments included in the multiple compressed or uncompressed audio/video contents (Column 9, 45 – 52). As discussed in claim 10, a user can select different programs on the left hand column of Figure 9 to show corresponding key frames (slide components) on the lower portion of Figure 9. Therefore, the audio/video slide components are multiple segments included in multiple compressed or uncompressed audio/video contents.

Sezan et al. also teaches that the segment is in a separate file (Column 10, 4 – 5). Sezan et al. states that summarized information may be recorded onto a storage device, therefore, each summary from Column 9, lines 45 – 52 can be recorded individually. Since each summary is recorded individually, each recorded summary is a separate file. Sezan et al. also teaches the stored

information includes an index code so that it can be located at a later time (Column 10, lines 6 – 7).

Sezan et al. fails to explicitly teach a set of files is described sequentially.

However, Ottesen et al. teaches that an indexed sequential series of compressed video segments are stored on a mass storage device. This reads on the present claim limitation of a set of files (video segments) are described (indexed) sequentially.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the indexing and storing method of Sezan et al., using the storage and indexing method of Ottesen et al., for the purpose of providing an efficient means for organizing the video segments in a customized manner (Column 10, lines 7 – 8).

As to claim 21, see rejections of claims 12 and 19 for the corresponding limitations.

2. Claim 13, 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,236,395 (Sezan et al.) in view of European Patent Application No. 99301761.5 (Published 09/15/1999, Kitamura).

As to claim 13, see rejection of claim 10 and note that Sezan et al. also teaches wherein the slide components (Key Frames in lower portion of Figure 9) of the audio/video are multiple segments (Key Frames) included in the single

compressed or uncompressed audio/video content (particular program, Column 16, lines 34). Sezan et al. also teaches wherein the user can select from different programs from the left hand column in Figure 9 and the lower portion of Figure 9 (slide components) shows the corresponding key frames to the different programs as discussed in claim 10. Therefore, Sezan et al. teaches wherein the slide components of the audio/video slide are multiple segments included in the original audio/video contents.

Sezan et al. fails to explicitly teach a set of segments is integrated as one composite file, and the individual segments of the composite file are described sequentially.

However, Kitamura teaches that two video stream (DA and DB, as illustrated in Figure 8A and Figure 8B, respectively) are integrated (Spliced) as one composite file (Composite video data, illustrated as DAB in Figure 8D) (Column 12, lines 5 – 11). Kitamura further teaches that the individual segments (DA and DB in Figure 8A and 8B, respectively) of the composite file (DAB in Figure 8D) are described sequentially (Figure 8C). This reads on the claim limitation Sezan et al. fails to teach.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the display and arrangement of video segments of Sezan et al., using the segment arrangement and segment processing method of Kitamura, for the purpose of preventing a discontinuity in the output data (video segments, Column 5, lines 44 - 48), therefore letting the

user playback continuous summary data without the steps of selecting which summary data to watch.

As to claim 22, see rejections of claims 13 and 19 for the corresponding limitations.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,148,140 (Okada et al.) discloses a method for combining video data into one stream. U.S. Patent No. 6,226,447 (Sasaki et al.) discloses a method for saving video data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai Lam whose telephone number is (571) 272-2827. The examiner can normally be reached on Monday - Friday 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Hata", is written over two horizontal lines.